

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

WHARTON LH LP,

Plaintiff,

v.

TRI-COASTAL DESIGN SERVICES,  
LLC, TRI-COASTAL DESIGN GROUP,  
INC., TRI-COASTAL DESIGN-  
CHARACTER LICENSE, LLC, LOOP  
DESIGN CO., MARVIN STUTZ,  
MICHAEL MASTRANGELO, DENNIS  
MASTRANGELO, TODD SOLOMON,  
JOHN/JANE DOES 1-10 (fictitious  
persons), and ABC CORP. 1-10  
(fictitious entities),

Defendants.

HON. JOHN MICHAEL VAZQUEZ,  
U.S.D.J.

Civil Action No. 2:20-cv-18008-JMV-  
JBC

**NOTICE OF MOTION TO  
REMAND**

(Document Electronically Filed)

**Motion Day: January 19, 2021**

**PLEASE TAKE NOTICE** that on January 19, 2021 or as soon thereafter as set by the Court, Plaintiff Wharton LH LP shall move before the Honorable John Michael Vazquez, United States District Judge, U.S. District Court, District of New Jersey, Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Newark, NJ 07101, for an order remanding this case to the Superior Court of New Jersey Law Division – Morris County, and awarding Plaintiff attorneys' fees and costs for the improper removal and this remand motion;

**PLEASE TAKE FURTHER NOTICE** that in support of the within motion, Plaintiff shall rely upon the accompanying brief and declaration;

**PLEASE TAKE FURTHER NOTICE** that oral argument is requested if timely opposition to the motion is filed; and

**PLEASE TAKE FURTHER NOTICE** that at that time and place aforesaid, Plaintiff will request that the proposed form of order submitted herewith be entered by the Court.

ATTORNEYS FOR PLAINTIFF  
WHARTON LH LP

By: /s/ C. John DeSimone, III  
C. John DeSimone, III, Esq.  
Stephen R. Catanzaro, Esq.  
DAY PITNEY LLP  
One Jefferson Road  
Parsippany, NJ 07054  
(973) 966-6300  
[cjdesimone@daypitney.com](mailto:cjdesimone@daypitney.com)  
[scatanzaro@daypitney.com](mailto:scatanzaro@daypitney.com)

**CERTIFICATION OF SERVICE**

I, C. John DeSimone, III, Esq., hereby certify that, on this 24th day of December 2020, this MOTION TO REMAND was served on all counsel of record who have appeared to date through the Court's CM/ECF system.

/s/ C. John DeSimone, III  
C. JOHN DESIMONE, III, ESQ.